



Genuine
Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

Robert R. Corbin

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ARIZONA ATTORNEY GENERAL

February 29, 1980

Mr. William L. Tifft
Deputy County Attorney
Gila County Attorney's Office
1400 East Ash Street
Globe, Arizona 85501

Re: I80- 025 (R80-023)

Dear Mr. Tifft:

Pursuant to A.R.S. § 15-122(B), we decline to review your January 25, 1980 opinion to the Superintendent of the Payson Unified School District concerning school transportation. We believe A.R.S. § 15-436(B), shielding the board from personal liability when relying upon the Attorney General's written opinion, applies equally to board action taken in reliance upon a County Attorney's opinion which we have declined to review pursuant to A.R.S. § 15-122(B).

Sincerely,

Bob Corbin

BOB CORBIN
Attorney General

BC/mm

WILLIAM L. TIFFT
CHIEF DEPUTY

EDWARD L. CAWSON
CRIMINAL PROSECUTOR

TOMMIE N. RASMUSSEN
INVESTIGATOR-PARALEGAL

THOMAS M. THOMPSON
CIVIL DEPUTY
TELEPHONE: 425-7609

DENNIS T. OMOTO
DEPUTY PAYSON-PINE
800 NORTH BEE LINE
P. O. BOX 836
PAYSON, ARIZONA 85541
TELEPHONE: 474-4320

Frank E. Tippet
Gila County Attorney
1400 EAST ASH STREET
Globe, Arizona 85501
TELEPHONE (602) 425-3231 EXT. 298

R80- 023

January 25, 1980

Mr. Travis H. Gilliland
District Superintendent
Payson Unified School District No. 10
P. O. Box 919
Payson, Arizona 85541

Re: Opinion Request Dated January 10, 1980

Dear Mr. Gilliland:

In your letter dated the 10th day of January, 1980, you asked our opinion reference your obligations under A.R.S. 15-422(A)(6), which provides that:

"A. The Board of Trustees shall: . . .

6. Provide transportation for any child or children when deemed for the best interest of the district, whether within or without the district, county or state."

In particular, the question appears to be whether or not you must supply transportation to or for students living in an area within the school district which is inaccessible to a school bus.

Please be advised that it is our opinion, as supported by numerous opinions of the Attorney General, that the language of Section 15-442(A)(6) leaves the determination of such matters to the discretion of the Board of Education. In other words, there is no obligation on the part of the District to supply transportation for any child or children within the District.

Travis H. Gilliland
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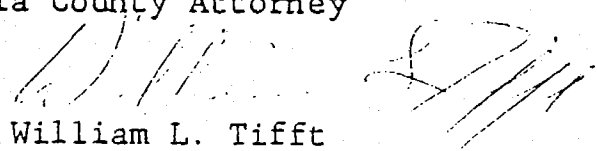
R80- 023

Pursuant to A.R.S. 15-122(B) I am forwarding a copy of this opinion to the Attorney General's Office for his review, concurrence, or revision.

If you have any further questions, please contact me.

Sincerely,

FRANK E. TIPPETT
Gila County Attorney


By William L. Tifft
Deputy County Attorney

WLT/mh